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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Argentina, Australia,* Belgium,* Bolivia (Plurinational State of), Bosnia and Herzegovina,* Bulgaria,* Chile,* Colombia,* Croatia,* Cyprus,* Czech Republic,* Fiji,* Finland,* Georgia,* Germany, Greece,* Guatemala,* Honduras,* Iceland,* Ireland, Italy,* Japan, Latvia, Liechtenstein,* Luxembourg,* Malta,* Mexico, Monaco,* Montenegro, Namibia, New Zealand,* Netherlands, Nicaragua,* Paraguay, Peru,* Philippines,* Poland,* Portugal, Republic of Moldova,* Rwanda,* San Marino,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Switzerland,* Thailand,* the former Yugoslav Republic of Macedonia, Turkey,* Ukraine,* United States of America, Uruguay,* Viet Nam: draft resolution

29/... Elimination of discrimination against women

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and all other relevant international human rights instruments,

Recalling also the Vienna Declaration and Programme of Action, the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference,

Recalling further all relevant resolutions on the elimination of discrimination against women of the Human Rights Council, the General Assembly, the Security Council and other United Nations agencies and bodies,

Welcoming the inclusion of gender equality and the empowerment of all women and girls as a stand-alone goal in the proposed sustainable development goals, and looking forward to the integration of a gender perspective into the post-2015 development agenda,

* Non-member State of the Human Rights Council.

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Bearing in mind that international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, prohibit discrimination on the basis of gender and include guarantees to ensure the enjoyment by women and men, and girls and boys, of their civil, political, economic, social and cultural rights on a basis of equality,

Recognizing that the full, equal and effective participation of women of all ages and in all spheres of life, on an equal basis with men, is essential for the full and complete economic, political social and cultural development of a country and for achieving lasting solutions to global challenges and the realization of peace, and that gender equality and the empowerment of women benefit women, men, girls and boys and society as a whole,

Emphasizing that women's equal rights and their enjoyment in the cultural and family life are closely linked to the enjoyment of human rights in all areas, including in public, political, social and economic life,

Reaffirming that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that respect for cultural and religious diversity and of cultural rights and freedom of religion for all enhances pluralism and contributes to advancing the application and enjoyment of human rights,

Reiterating that, to secure equal enjoyment by women of all human rights in all aspects of life, discriminatory, repressive and violent practices against them should be eliminated, regardless of their origin, including those occasions where culture and religion are misused or misinterpreted,

Recognizing and deeply regretting that many women and girls, particularly those belonging to vulnerable groups, face multiple and intersecting forms of discrimination and are still subjected to discriminatory laws and practices, and that de jure and de facto equality has not been achieved,

Recognizing that gender responsiveness is an essential part of the role played by national human rights institutions as established by the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), adopted by General Assembly in its resolution 48/134 of 20 December 1993,

Acknowledging the work undertaken by the United Nations Entity for Gender Equality and the Empowerment of Women, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the special procedures mandate holders of the Human Rights Council and other relevant United Nations bodies, funds, agencies and mechanisms to eliminate discrimination in law and in practice throughout the world, and noting the work undertaken by the Office of the United Nations High Commissioner for Human Rights on the issue,

1. *Notes* the report of the Working Group on the issue of discrimination against women in law and in practice;[1]

2. *Affirms* that realizing human rights requires the full, effective and meaningful participation and contribution of women and girls in all aspects of life, on an equal footing with men and boys;

[1] A/HRC/29/40.

3. *Calls upon* States to ensure women's equal enjoyment of all human rights by, inter alia:

(*a*) Adopting and strengthening national legal frameworks promoting and guaranteeing gender equality in cultural and family life, in accordance with their international obligations and commitments;

(*b*) Promoting the equal and full access, participation and contribution of women and girls in all aspects of life, including in cultural and family life;

(*c*) Rejecting any discriminatory practice and gender stereotype;

(*d*) Adopting or strengthening measures to combat multiple and intersecting forms of discrimination, in particular against those belonging to vulnerable groups;

4. *Also calls upon* States to promote a culture free from all forms of discrimination against women and girls and to address its root causes by, inter alia:

(*a*) Developing national mechanisms, measures and policies, as appropriate;

(*b*) Adopting awareness-raising campaigns, educational and informational programmes;

(*c*) Promoting the mobilization and engagement of civil society organizations and other relevant stakeholders, including that of men and boys;

(*d*) Providing gender-equality training for State civil servants, including those working on the judiciary;

(*e*) Adopting a coherent set of gender-responsive social and economic policies;

(*f*) Addressing poverty and social exclusion in order to overcome the structural barriers and inequality that they face;

5. *Urges* States to take all appropriate measures to modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

6. *Calls upon* States to take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations, and to guarantee women's equality in law and in practice in family life, in accordance with their respective international obligations and commitments by, inter alia:

(*a*) Recognizing the equality of all family members before the law;

(*b*) Opposing all forms of marriage that constitute a violation of women's and girls' rights, well-being and dignity;

(*c*) Ensuring that men and women have the same right freely to choose a spouse, to enter into marriage only with their free and full consent and the same rights and responsibilities during marriage and at its dissolution;

(*d*) Ensuring the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property;

(*e*) Ensuring the same rights and responsibilities with regard to guardianship, wardship, trusteeship and the adoption of children, or similar institutions where these concepts exist in national legislation; in all the cases, the interest of the children shall be paramount;

7. *Reaffirms* the importance of the right to education as a key to the empowerment of women and girls and for ensuring equality and non-discrimination, and

that States should adopt measures to ensure the equal access of girls to quality education; to eliminate discriminatory laws and practices that prevent them from having access to, completing and continuing their education, and to provide incentive mechanisms to this end; and to develop and implement programmes, as appropriate, that specifically aim to eliminate gender disparities in enrolment and gender-based bias and stereotypes in education systems, curricula and materials, whether derived from any discriminatory practices, social or cultural attitudes or legal and economic circumstances;

8. *Urges* States to ensure that women, have equal access to all economic, financial, fiscal and social services and benefits without discrimination, including those that head a family;

9. *Calls upon* States to promote the rights of women and girls and to support their empowerment by adopting, as appropriate, a coherent set of gender-responsive policies directed at cultural and family life;

10. *Also calls upon* States to promote reforms, the effectiveness of institutional mechanisms and good governance, and to accelerate the implementation of legal frameworks and policies directed towards achieving equality and the elimination of all forms of discrimination against women and girls, including nationality laws;

11. *Further calls upon* States to take concrete steps directed to achieve gender equality and the empowerment of women at all levels of policymaking processes and decision-making positions;

12. *Stresses the need* to accelerate efforts at all levels to eliminate all forms of violence against women and girls, including domestic violence;

13. *Also stresses the need* to accelerate efforts to ensure accountability and due diligence for acts that violate women's rights by adopting measures to, inter alia:

(*a*) Prevent violations and prosecute and punish the perpetrators, and to combat impunity;

(*b*) Address the needs of women and girls victims and avoid their re-victimization;

(*c*) Guarantee access to justice and effective remedies and redress that take into account multiple, intersecting and aggravated forms of discrimination;

14. *Further stresses the need* to make the formal legal system accessible to all women, regardless of any status;

15. *Urges* States to recognize the important role that the media can play in the elimination of gender stereotypes and in the promotion of gender equality and the empowerment of women and girls;

16. *Recognizes* that civil society organizations, in particular independent women's organizations and human rights defenders, do important work in promoting full equality in all aspects of life, including cultural and family life, and eliminating violence against women and girls, and that they therefore require support for their sustainability and growth;

17. *Calls upon* all States to cooperate with and assist the Working Group in its task, to supply all necessary available information requested by it and to give serious consideration to responding favourably to its requests to visit their country to enable it to fulfil its mandate effectively;

18. *Invites* relevant United Nations agencies, funds and programmes, the treaty bodies, within their respective mandates, and civil society actors, including non-

governmental organizations, as well as the private sector, to cooperate fully with the Working Group in the fulfilment of its mandate, and requests the Working Group to continue to engage with the Commission on the Status of Women, including by participating in its work and reporting, on request;

19. *Notes with appreciation* the intention of the Working Group to focus its next report on the issue of discrimination against women in law and in practice in health and safety;

20. *Decides* to continue its consideration of this issue in conformity with its annual programme of work.